

EXHIBIT 7

Nate Arbogast's Resume

NATE ARBOGAST

1904 H Avenue, #I-5
La Grande, OR 97850
(541) 962-0920

OBJECTIVE

To promote technology and increase its application in educational settings through better understanding, greater ease of use, and a true desire to see all end-users achieve their objectives.

EDUCATION

<u>Post-Baccalaureate Minor</u> , Eastern Oregon State College Business/Computer Education - Licensure	9/94 - 6/95
<u>Bachelor of Arts</u> , Portland State University Business Administration/Marketing McCrae Four Year Scholarship Recipient Member Portland State Marketing Association	9/90 - 12/94
<u>Microsoft Certified Product Specialist</u> , Microsoft Corporation Currently Enrolled in Coursework, Windows NT Advanced Server Certification Exam Scheduled for June, 1996	4/96 - Present

WORK EXPERIENCE

<u>Business Instructor</u> , La Grande High School 9th - 12th Grade Keyboarding/Computer Applications 9th - 12th Grade Business Law FBLA - Assistant Advisor Technology Club - Advisor LHS World Wide Web Home Page - Advisor Schoolwide Computer/Network/Software Technician <u>Windows NT Advanced Server</u> - Network Administrator District Network/Technology Committee - Member	1/95 - Present
<u>Adult Education Instructor</u> , Blue Mt. Community College Quicken, Quattro Pro, Windows 3.11, <u>Windows NT</u>	4/95 - Present
<u>Computerized Accounting Instructor</u> , E.O.S.C. Extended Studies Compass/First Class Online Accounting	2/95 - Present
<u>Arbogast Business Services</u> , Computer Consulting & Sales PSU Micro Labs, David Hansen, Portland, OR Cavender Properties, Judy Cavender, Portland, OR Kaiser Permanente, Deb Lester, Portland, OR La Grande High School, Pat Atkinson, La Grande, OR Attorney at Law, Wade Bettis, La Grande, OR Pilot Rock Police Dept., Ron Layton, Pilot Rock, OR Union ESD, Mark Freeman, Island City, OR	1/94 - Present
<u>Portland State University</u> , Computer Consultant Business Computer Lab Supervisor Computer Hardware/Software Technician Macintosh & PC Software Consultant	9/93 - 6/94

Not NT ?

#2

EXHIBIT 8

**Service Provider Annual Certification Status for ABS
1998, 1999, 2000, 2001 and 2002**

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Service Provider Area

Service Provider Information by SPIN**Service Provider Annual Certification Status**

1. Service Provider Name Arbogast Business Services & Computers	2. SPIN 143011380	3. Funding Year 01/01/1998 - 06/30/1999	4. Status Certified on 03/08/1999
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Percentages of FRNs Processed for SPIN 143011380

Wave 1 none	Wave 2 none	Wave 3 none	Wave 4 none	Wave 4B none	Wave 5 none	Wave 6 25.0%	Wave 7 none	Wave 8 none	Wave 9 50.0%
Wave 10 none	Wave 10A none	Wave R1 none	Wave R2 none	Wave R3 none	Wave R4 none	Wave R5 none	Wave R6 none	Wave R7 none	Wave R8 none
Wave R9 none	Wave 10B none	Wave R10 none	Wave R11 none	Wave R12 none	Wave R13 none	Wave R14 none	Wave R15 25.0%	Wave R16 none	Wave R17 none
Wave R18 none	Wave R19 none	Wave R20 none	Wave R21 none	Wave R22 none	Wave R23 none				

Total: 100.0%**486 Notification Letters Sent for SPIN 143011380**

4/7/1999	4/14/1999	10/20/1999
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BEAR (Billed Entity Application Reimbursement) Letters Sent for SPIN 143011380

4/16/1999	5/6/1999	6/17/1999	7/15/1999	12/22/1999
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Service Provider Area

Service Provider Information by SPIN**Service Provider Annual Certification Status**

1. Service Provider Name Arbogast Business Services & Computers	2. SPIN 143011380	3. Funding Year 07/01/1999 - 06/30/2000	4. Status Certified on 02/10/2000
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Percentages of FRNs Processed for SPIN 143011380

Wave 001	Wave 002	Wave 003	Wave 004	Wave 005	Wave 006	Wave 007	Wave 008	Wave 009	Wave 010
none	none	none	none	none	none	none	none	none	none
Wave 011	Wave 012	Wave 013	Wave 014	Wave 015	Wave 016	Wave 017	Wave 018	Wave 019	Wave 020
none	none	none	none	none	none	50.0%	none	none	none
Wave 20A	Wave 20B	Wave 20C	Wave 20D	Wave 20E	Wave 20F	Wave 20G	Wave 021	Wave 20H	Wave 20I
none	none	none	none	none	none	none	none	none	none
Wave 20J	Wave 20K	Wave 20L	Wave 20M	Wave 20N	Wave 20O	Wave 20P	Wave A22	Wave A23	Wave A24
none	none	none	none	none	none	none	none	none	none
Wave A25	Wave 20Q	Wave A26	Wave A27	Wave A28					
none	none	none	none	none					

Total: 50.0%**486 Notification Letters Sent for SPIN 143011380**

11/29/1999	12/13/1999
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BEAR (Billed Entity Application Reimbursement) Letters Sent for SPIN 143011380**No letters have been sent for your SPIN**[Menu](#)[New Search](#)

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Service Provider Area

Service Provider Information by SPIN**Service Provider Annual Certification Status**

1. Service Provider Name Arbogast Business Services & Computers	2. SPIN 143011380	3. Funding Year 07/01/2000 - 06/30/2001	4. Status Certified on 05/15/2001
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Percentages of FRNs Processed for SPIN 143011380

Wave 001	Wave 002	Wave 003	Wave 004	Wave 005	Wave 006	Wave 007	Wave 008	Wave 009	Wave 010
3.4%	none	3.4%	6.9%	none	none	6.9%	none	31.0%	none
Wave 011	Wave 012	Wave 013	Wave 014	Wave 015	Wave 016	Wave 017	Wave 17A	Wave 018	Wave 019
3.4%	6.9%	3.4%	13.8%	none	none	none	none	none	none
Wave 020	Wave 021	Wave 022	Wave 023	Wave 024	Wave 025	Wave 026	Wave 027	Wave 028	Wave DEN
3.4%	10.3%	none	none	none	3.4%	none	none	none	none
Wave 029	Wave 29A	Wave 29B	Wave 29C	Wave 29D	Wave 29E	Wave 29F	Wave 29G	Wave 29H	Wave 29I
none	3.4%	none	none	none	none	none	none	none	none
Wave 29J	Wave 29K	Wave 29L	Wave 29M	Wave 29N	Wave 29O	Wave 29P	Wave 29Q	Wave 29R	Wave A13
none	none	none	none	none	none	none	none	none	none
Wave A14	Wave A15	Wave 29S	Wave A16	Wave A17	Wave A18	Wave A19	Wave A20	Wave A21	Wave 29T
none	none	none	none	none	none	none	none	none	none

Total: 100.0%**486 Notification Letters Sent for SPIN 143011380**

10/18/2000	11/29/2000
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BEAR (Billed Entity Application Reimbursement) Letters Sent for SPIN 143011380**No letters have been sent for your SPIN**[Menu](#)[New Search](#)

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Service Provider Area

Service Provider Information by SPIN**Service Provider Annual Certification Status**

1. Service Provider Name Arbogast Business Services & Computers	2. SPIN 143011380	3. Funding Year 07/01/2001 - 06/30/2002	4. Status Not received
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Percentages of FRNs Processed for SPIN 143011380

Wave 001 none	Wave 002 100.0%	Wave 003 none	Wave 004 none	Wave 005 none	Wave 006 none	Wave 007 none	Wave 008 none	Wave 009 none	Wave 010 none
Wave 011 none	Wave 012 none	Wave 013 none	Wave 014 none	Wave 015 none	Wave 15A none	Wave 15B none	Wave 15C none	Wave 15D none	Wave 15E none
Wave 15F none	Wave 15G none	Wave 15H none	Wave 15I none	Wave 15J none	Wave 15K none	Wave 15L none	Wave 15M none	Wave 15N none	Wave 15O none
Wave 15P none	Wave 15Q none	Wave 15R none	Wave 15S none	Wave 15T none	Wave 15U none	Wave A19 none	Wave 15V none	Wave 15W none	Wave A20 none
Wave A21 none	Wave A22 none	Wave A23 none	Wave 15X none	Wave 15Y none	Wave A24 none	Wave 15Z none	Wave 16A none	Wave 16B none	Wave A25 none
Wave 16C none	Wave A26 none	Wave A27 none	Wave A28 none	Wave A29 none	Wave A30 none	Wave A31 none	Wave A32 none	Wave A33 none	Wave A34 none
Wave A35 none	Wave A36 none	Wave A37 none							

Total: 100.0%**486 Notification Letters Sent for SPIN 143011380****No letters have been sent for your SPIN****BEAR (Billed Entity Application Reimbursement) Letters Sent for SPIN 143011380****No letters have been sent for your SPIN**[Menu](#)[New Search](#)

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Service Provider Area

Service Provider Information by SPIN**Service Provider Annual Certification Status**

1. Service Provider Name Arbogast Business Services & Computers	2. SPIN 143011380	3. Funding Year 07/01/2002 - 06/30/2003	4. Status Not received
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Percentages of FRNs Processed for SPIN 143011380

Wave 001 none	Wave 002 66.7%	Wave 003 none	Wave 004 none	Wave 005 none	Wave 006 none	Wave 007 none	Wave 008 none	Wave 009 none	Wave 010 none
Wave 011 none	Wave 012 none	Wave 013 none	Wave 014 none	Wave 015 33.3%	Wave 016 none	Wave 017 none	Wave 018 none	Wave 019 none	Wave 020 none
Wave 021 none	Wave 022 none	Wave 023 none	Wave 024 none	Wave 025 none	Wave 026 none	Wave 027 none	Wave 028 none	Wave 029 none	Wave 030 none
Wave 30A none	Wave 30B none	Wave 30C none	Wave 30D none	Wave 30E none	Wave 30F none	Wave 30G none	Wave 30H none	Wave 30I none	Wave 30J none
Wave 30K none	Wave 30L none	Wave 30M none	Wave 30N none	Wave 30O none	Wave A15 none	Wave 30P none	Wave A16 none	Wave 30Q none	Wave 30R none
Wave 30S none	Wave A17 none	Wave 30T none	Wave A18 none	Wave A19 none	Wave A20 none	Wave A21 none	Wave A22 none	Wave 30U none	Wave A23 none
Wave A24 none	Wave A25 none	Wave A26 none	Wave A27 none	Wave 30V none	Wave A28 none	Wave A29 none	Wave A30 none	Wave A31 none	Wave A32 none
Wave A33 none	Wave 30W none	Wave A34 none	Wave A35 none	Wave A36 none	Wave A37 none	Wave A38 none	Wave A39 none	Wave A40 none	Wave A41 none
Wave A42 none									

Total: 100.0%**486 Notification Letters Sent for SPIN 143011380****No letters have been sent for your SPIN****BEAR (Billed Entity Application Reimbursement) Letters Sent for SPIN 143011380****No letters have been sent for your SPIN**

EXHIBIT 9

District Purchasing Policy

Morrow County School District

Code: **DJ**
Adopted: 10/12/98;
Readopted: 5/12/03
Orig. Code(s): 6021; 6022; 6040, 6065

District Purchasing

The purchasing, receiving, storing and distribution of necessary supplies, equipment and services for use in the educational program and for the various auxiliary services represent a significant expenditure in the school budget. These items must be procured efficiently and economically. The measure of efficient, economical purchasing is the degree to which the right items are provided in the right quantity to the right place at the right time. District purchasing shall be subject to the following:

1. The function of the purchasing agent is to serve the educational and support program by providing the necessary supplies, equipment and services;
2. The acquisition of services, equipment and supplies is centralized in the district office, which functions under the supervision of the superintendent, designated by the Board as purchasing agent and through whose office all purchasing transactions must eventually proceed. The superintendent shall be responsible for developing and administering the purchasing program of the district;
3. Competitive bids or quotations shall be solicited in connection with all purchasing whenever possible. Contracts shall be awarded to the lowest responsible bidder complying with specifications and with other stipulated bidding conditions;
4. The superintendent is authorized to issue purchase orders without prior approval of the Board where formal bidding procedures are not required by law and when budget appropriations are adequate to cover such obligations;
5. The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. All purchases, lease or sale of personal property, public improvements or services other than agreements for personal service shall be based upon competitive bids or quotes on proposals except:
 - a. Contracts made with other public agencies or the federal government;
 - b. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;
 - c. Contracts excepted by the Local Contract Review Board following approval of findings that such exemption will result in substantial cost savings and it is unlikely that the exemption will encourage favoritism or substantially diminish competition;
 - d. A contract for products, services or supplies if the value is less than \$5,000;
 - e. Insurance and service contracts as provided by law;
 - f. Contracts between public agencies utilizing an existing solicitation or current requirement contract of one of the public agencies that is a party to the contract as provided by law.
6. The superintendent or designee is authorized to enter into and approve payment on contracts obligating district funds not to exceed \$75,000 for products, materials, supplies, capital outlay and services that are within current budget appropriations. The Board shall approve all contracts that are

collective bargaining agreements or service contracts that include the provision of labor performed by district employees, such as custodial, food service and transportation services. All contracts which require public advertising and competitive bidding shall be awarded by the Board. Recommendations for the award of all such contracts shall be submitted to the Board by the superintendent;

7. Residence or place of business of local bidders may be a consideration only in cases where identical bids have been submitted;
8. Items commonly used in the various schools or units thereof shall be standardized whenever consistent with educational goals and in the interest of efficiency or economy;
9. Petty cash funds shall be established annually for each school building and for the central administrative office, following procedures approved by the district's auditor. Such funds shall be used for the payment of properly itemized bills of nominal amounts and under conditions calling for immediate payment. Allowances, responsibility, security and accounting of petty cash funds shall be in accordance with the recommendation of the district auditors;
10. The purchasing procedures employed shall comply with all applicable law and regulations of the state;
11. Opportunity shall be provided to all responsible suppliers to do business with the district. To this end the superintendent shall develop and maintain lists of potential bidders for the various types of materials, equipment and supplies. Such bidder lists shall be used in the development of a mailing list for distribution of specifications and invitations to bid. Any supplier may be included in the list upon request;
12. A person shall not be automatically disqualified because of his/her position as Board member, officer or employee of this school district or family of such person, from entering into a contract with the Morrow County School District. Any such person who becomes or may become interested financially in any contract entered into by the Board is in an actual conflict of interest situation and is subject to the requirements of ORS 244.120 et seq.; such person shall announce publicly the nature of the conflict and shall refrain from participating in discussion, debate or vote, on the issue out of which the actual conflict arises, except as set forth in ORS 244.120. Such person shall be subject to all other policies relating to such contracts. No Board member, officer or employee of the school district or his/her family shall accept any gratuities, financial or otherwise, from any supplier of materials or services to the district;
13. Public contracts, if awarded, will be awarded to the lowest, responsive and responsible bidder or the best, responsive and responsible proposer consistent with solicitation document provisions. The Board may reject in whole or in part, any bid or proposal not in compliance with all prescribed procedures and requirements and may reject for good cause any bid or proposal upon a written finding that it is in the public interest to do so. Such findings shall conform with criteria as specified by the Oregon Attorney General's Model Contract Rules Manual;
14. Records of bids, proposals and specifications will be kept in the district administration office and will conform with Oregon Revised Statutes and applicable provisions of the Oregon Attorney General's Model Contract Rules Manual;

15. The Board adopts the Oregon Attorney General's Model Public Contract Rules, OAR Chapter 137, Division 030, Public Procurement Rules, Division 035, Architectural and Engineering Rules and Division 040, Public Improvement Contracts in effect at the time this policy is adopted. These rules govern purchasing procedures, advertisements, awarding of contracts, retainage, claims, liens, bid security, payment, performance bonds and other matters subject to competitive procurement provisions of law. The Board may modify such rules as deemed appropriate. New rules, as necessary, will be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required. The Board recognizes that a public contracting agency that has not established its own rules of procedure as required by ORS 279.049 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt;
16. The Board adopts as part of its rules, portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 030, 300-360 in effect at the time this policy is adopted, and, where necessary, has made the written findings required by law for exemptions from competitive bidding.

Such findings shall be maintained by the district and made available on request.
17. The district will follow its adopted budget as closely as possible in expenditure of funds. To this end, the Board shall require that it approve in advance:
 - a. All expenditures of funds identified as the Contingency Fund;
 - b. All transfers of funds from one fund to another as provided by Board policy DBK - Budget Transfer Authority.
18. School letterhead paper shall not be used in ordering supplies and equipment for personal use. The home address, and not the school name or address, should be listed as the delivery place for articles ordered for personal use;
19. By resolution dated May 17, 1993, the Board of Education was designated the Local Public Contract Review Board for Morrow County School District. A copy of the resolution shall be filed with the Morrow County Court.

END OF POLICY

Legal Reference(s):

ORS 244.040
ORS Chapter 279
ORS 294.311

ORS 328.441 - 328.470
ORS 332.075

OAR 125-065-0040

Cross Reference(s):

BBA - Board Powers and Duties
BBFA - Board Member Conflicts of Interest

Morrow County School District

Code: **BBA**
Adopted: 5/12/03

Board Powers and Duties

The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of schools. The general powers granted to the Board are:

1. Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies for governing schools and students consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local citizens informed about the schools.

2. Judicial Authority

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

3. Executive/Administrative Authority

The Board will appoint a superintendent delegated to establish administrative regulations to implement Board policy and goals. The Board will evaluate the superintendent's performance.

The Board may establish academic and financial goals for the district and evaluate the superintendent's implementation of those goals.

The Board will oversee the district's financial affairs by authorizing, appropriating and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of district property.

The Board will authorize the superintendent to approve payment on all contracts and business transactions of the district in accordance with Board policies on purchasing and budget requirements. The Board will provide for an annual audit of the district's assets.

The Board will employ the staff to carry out the educational program and will provide for regular evaluation of staff.

The Board will direct the collective bargaining process to establish collective bargaining agreements with the district's personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for districtwide application.

The Board will establish the days of the year and the hours of the day when school will be in session.

END OF POLICY

Legal Reference(s):

ORS 192.630
ORS 243.656
ORS Chapter 279
ORS 294.305 - 294.565
ORS 294.321
ORS 294.326
ORS 332.072 - 332.111
ORS 332.505
ORS 336.035
ORS 336.095
ORS Chapter 339
ORS 342.905



EXHIBIT 10

Oregon Revised Statutes §244.120

3 of 7 DOCUMENTS

OREGON REVISED STATUTES

*** THIS DOCUMENT IS CURRENT THROUGH THE 2005 REGULAR SESSION OF THE 73RD LEGISLATIVE ASSEMBLY ***

*** ANNOTATIONS CURRENT THROUGH JUNE 7, 2007 ***

TITLE 22. PUBLIC OFFICERS AND EMPLOYEES
CHAPTER 244. GOVERNMENT STANDARDS AND PRACTICES
METHOD OF HANDLING ACTUAL OR POTENTIAL CONFLICTS

GO TO OREGON REVISED STATUTES ARCHIVE DIRECTORY

ORS § 244.120 (2005)

244.120. Methods of handling conflicts; generally; application to elected officials or members of boards.

(1) Except as provided in subsection (2) of this section, when met with an actual or potential conflict of interest, a public official shall:

(a) If the public official is a member of the Legislative Assembly, announce publicly, pursuant to rules of the house of which the public official is a member, the nature of the conflict before taking any action thereon in the capacity of a public official.

(b) If the public official is a judge, remove the judge from the case giving rise to the conflict or advise the parties of the nature of the conflict.

(c) If the public official is any other appointed official subject to this chapter, notify in writing the person who appointed the public official to office of the nature of the conflict, and request that the appointing authority dispose of the matter giving rise to the conflict. Upon receipt of the request, the appointing authority shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the appointing authority.

(2) An elected public official, other than a member of the Legislative Assembly, or an appointed public official serving on a board or commission, shall:

(a) When met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official; or

(b) When met with an actual conflict of interest, announce publicly the nature of the actual conflict and:

(A) Except as provided in subparagraph (B) of this paragraph, refrain from participating as a public official in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue.

(B) If any public official's vote is necessary to meet a requirement of a minimum number of votes to take official action, be eligible to vote, but not to participate as a public official in any discussion or debate on the issue out of which the actual conflict arises.

(3) Nothing in subsection (1) or (2) of this section requires any public official to announce a conflict of interest more than once on the occasion which the matter out of which the conflict arises is discussed or debated.

(4) Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so.

HISTORY: 1974 c.72 § 10; 1975 c.543 § 7; 1987 c.566 § 15; 1993 c.743 § 15

CURRENT ANNOTATIONS:

NOTES OF DECISIONS

Where two of five county commissioners disqualified themselves because of previous involvement with matter in different capacities, their interests did not require abstention from quasi-judicial action on application for comprehensive plan change. *Eastgate Theater v. Bd. of County Comm'rs*, 37 Or App 745, 588 P2d 640 (1978)

CURRENT ANNOTATIONS:

ATTY. GEN. OPINIONS:

Avoiding disclosure requirements by abstention from voting, (1978) Vol 38, p 1995; discipline of legislator for failure to declare conflict of interest, (1999) Vol 49, p 167

LexisNexis (R) Notes:

CASE NOTES

1. Conclusion by the Oregon Government Standards and Practices Commission that the manager of the water district violated *Or. Rev. Stat. §§ 244.040(1)(a) and 244.120(1)(c)* was reversed because the manager requested a court proceeding within the 21-day period after he received adequate notice that the Commission intended to proceed with a contested case hearing. The Commission's earlier letter did not start the 21-day time period running because it did not provide adequate notice as contemplated by *Or. Rev. Stat. §§ 244.260(8) and 183.415(2)*. *Moon v. Gov't Stds. & Practices Comm'n*, 198 Ore. App. 244, 108 P.3d 112, 2005 Ore. App. LEXIS 230 (2005).

2. Impartiality must be defined and procedurally accommodated differently in quasi-judicial proceedings than in judicial proceedings; accordingly, county commissioners who were ruling on a request for a change in a comprehensive land use plan map were not required to disqualify themselves for bias despite their involvement at previous stages of the development plan that led to the request for the plan change. Their abstention from the proceedings to change the plan was equivalent to a negative vote on the plan change, since the county charter required three favorable votes out of the five commissioners to approve any plan change. *Eastgate Theatre, Inc. v. Bd. of County Comm'rs*, 37 Or. App. 745, 588 P.2d 640, 1978 Ore. App. LEXIS 2369 (1978).

3. Conclusion by the Oregon Government Standards and Practices Commission that the manager of the water district violated *Or. Rev. Stat. §§ 244.040(1)(a) and 244.120(1)(c)* was reversed because the manager requested a court proceeding within the 21-day period after he received adequate notice that the Commission intended to proceed with a contested case hearing. The Commission's earlier letter did not start the 21-day time period running because it did not provide adequate notice as contemplated by *Or. Rev. Stat. §§ 244.260(8) and 183.415(2)*. *Moon v. Gov't Stds. & Practices Comm'n*, 198 Ore. App. 244, 108 P.3d 112, 2005 Ore. App. LEXIS 230 (2005).

4. Conclusion by the Oregon Government Standards and Practices Commission that the manager of the water district violated *Or. Rev. Stat. §§ 244.040(1)(a) and 244.120(1)(c)* was reversed because the manager requested a court pro-

ceeding within the 21-day period after he received adequate notice that the Commission intended to proceed with a contested case hearing. The Commission's earlier letter did not start the 21-day time period running because it did not provide adequate notice as contemplated by *Or. Rev. Stat. §§ 244.260(8) and 183.415(2)*. *Moon v. Gov't Stds. & Practices Comm'n*, 198 Ore. App. 244, 108 P.3d 112, 2005 Ore. App. LEXIS 230 (2005).

5. *Or. Rev. Stat. § 244.120(1)(d)* requires any appointed public official who has a potential conflict of interest to notify the person appointing him of the conflict and to request that person to dispose of the matter. A hearings officer for the Corporation Division was subject to *Or. Rev. Stat. § 244.120(1)(d)*. However, the hearings officer did not violate the statute where, in a hearing on securities fraud, he participated in examining witnesses, and there was also documentation that the person under investigation at the hearing had once refused to participate in an investment venture formed by the hearings officer. This alleged evidence of bias was not a "potential conflict of interest" under the statute because its effect would not have been "to the private pecuniary benefit or detriment" of the hearings officer or any member of his household. *Black v. Corp. Div.*, 54 Or. App. 432, 634 P.2d 1383, 1981 Ore. App. LEXIS 3547 (1981).

6. Impartiality must be defined and procedurally accommodated differently in quasi-judicial proceedings than in judicial proceedings; accordingly, county commissioners who were ruling on a request for a change in a comprehensive land use plan map were not required to disqualify themselves for bias despite their involvement at previous stages of the development plan that led to the request for the plan change. Their abstention from the proceedings to change the plan was equivalent to a negative vote on the plan change, since the county charter required three favorable votes out of the five commissioners to approve any plan change. *Eastgate Theatre, Inc. v. Bd. of County Comm'rs*, 37 Or. App. 745, 588 P.2d 640, 1978 Ore. App. LEXIS 2369 (1978).

OPINIONS OF ATTORNEY GENERAL

1. 1977 Ore. AG LEXIS 420; 38 Op. Atty Gen. Ore. 1401.
2. 1977 Ore. AG LEXIS 427; 38 Op. Atty Gen. Ore. 1441.
3. 1978 Ore. AG LEXIS 180; 38 Op. Atty Gen. Ore. 1995.
4. 1981 Ore. AG LEXIS 180; 41 Op. Atty Gen. Ore. 462.
5. 1981 Ore. AG LEXIS 186; 41 Op. Atty Gen. Ore. 490.
6. 1981 Ore. AG LEXIS 109; 42 Op. Atty Gen. Ore. 66.
7. 1986 Ore. AG LEXIS 71.
8. 1987 Ore. AG LEXIS 95.
9. 1990 Ore. AG LEXIS 7; 46 Op. Atty Gen. Ore. 350.
10. 1994 Ore. AG LEXIS 7.
11. 1999 Ore. AG LEXIS 3; 49 Op. Atty Gen. Ore. 167.

LAW REVIEWS

1. *82 Or. L. Rev. 979*, COMMENT: The Revolving Door: Should Oregon Restrict Former Legislators from Becoming Lobbyists?.

EXHIBIT 11

**Nate Arbogast's Letter of Resignation from ABS
August 1, 2011**